IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Writ Petition No. 183 of 2005 (SB)

Mohd. Iqbal Khan Warsi
S/o Late Shri Abdul Jabbar Khan,
R/o Jailor, Sub-Jail, Haldwani,
District Nainital. …….. Petitioner

Versus

State of Uttaranchal and others …… Respondents
……

Mr. Syed Nadim, Advocate for the petitioner.
Mr. K.P. Upadhyaya, Standing Counsel for the State of Uttaranchal..

Coram: Hon'ble Cyriac Joseph, C.J.
Hon'ble J.C.S.Rawat, J.

JUDGMENT

CYRIAC JOSEPH, C. J. (Oral)

1. The challenge in this writ petition is against Annexure 1 order passed by respondent no. 2 placing the petitioner under suspension. Learned Standing Counsel Mr. K. P. Upadhyaya submits that the suspension of the petitioner has already been revoked as per order dated 03.09.2005 of the second respondent. According to the Standing Counsel, the writ petition has become infructuous.

2. Learned counsel for the petitioner submits that though the suspension has been revoked as per order dated 3.9.2005, by the same order the petitioner stands attached to the officer of Inspector General (Prison). However, that is no reason for keeping this writ petition pending. Since the impugned order has already been revoked, the writ petition has become infructuous and hence it is dismissed without prejudice to the right of the petitioner to challenge any order attaching him to the office of Inspector General (Prison), if so advised.

(J.C.S.Rawat, J.) **(Cyriac Joseph, C.J.)**
08.09.2005 08.09.2005

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